

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:17-CR-27-FL-1

UNITED STATES OF AMERICA)	
)	
v.)	<u>ORDER</u>
)	
DONALD RAY-EDTUAN DAVIS,)	
)	
Defendant.)	

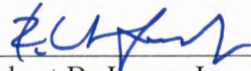
This matter came before the court today for a hearing on the competency of Defendant Donald Ray-Edtuan Davis (“Defendant”) to determine whether Defendant is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense, in accordance with 18 U.S.C. §§ 4241 and 4247(d). See Order [DE-96]. At the hearing the government was represented by Assistant United States Attorney Tobin Lathan and Defendant, who was present in the courtroom, was represented by James Ayers. The court advised Defendant of his rights under 18 U.S.C. § 4247(d) to which Defendant indicated his understanding.

The government argued the findings contained in the Forensic Evaluation of Defendant dated June 28, 2019, and filed under seal with the court on July 24, 2019. According to the Forensic Evaluation, Defendant is able to understand the nature and consequences of the proceedings against him and assist properly in his defense. Defendant did not contest the findings of the Forensic Evaluation and offered no evidence to the contrary.

After consideration of the position of the parties and the Forensic Evaluation, the court does not find by a preponderance of the evidence, pursuant to 18 U.S.C. § 4241(d), that

Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

So ordered, the 17th day of September 2019.

A handwritten signature in blue ink, appearing to read "R. B. Jones, Jr.", is written over a horizontal line.

Robert B. Jones, Jr.
United States Magistrate Judge